



THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICANT : YOUNG et al.  
INVENTION: : INDIVIDUALIZED ANTI-CANCER ANTIBODIES  
SERIAL NUMBER : 09/727,369  
FILING DATE : November 29, 2000  
EXAMINER: : Helms, L.  
GROUP ART UNIT : 1642  
ATTORNEY DOCKET NO. : 2056.008

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INFORMATION DISCLOSURE STATEMENT

CERTIFICATE UNDER 37 CFR 1.8(a)  
I hereby certify that this correspondence is being  
deposited with the U.S. Postal Service as First Class mail  
in an envelope addressed to Commissioner for  
Patents, Washington, D.C. 20231 on 4-12-02

Susan Helms

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Commissioner for Patents  
Washington, D.C. 20231

Sir:

**This is not responsive to the Office Action mailed February 22, 2002. A response will be filed in due course.**

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying form PTO-1449 are hereby brought to the attention of the Examiner for independent evaluation. A copy of each reference is enclosed.

These references were made of record in the parent application U.S. Serial No. 09/415,278 now U.S. Patent NO. 6,180,357, upon which the present application claims priority under 35 U.S.C. §120. Pursuant to 37 C.F.R. §1.98(d). Applicants are not required to submit copies of these references.

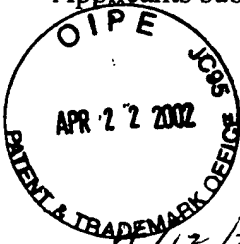
04/23/2002 MGERREM1 00000089 130439 09727369

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Also, U.S. Patent Nos. 5,869,045 and 4,939,240; EP 0 222 360 and WO 94/18345 were cited in the preliminary search report of the European Patent Office in the corresponding European patent application. Copies of these references are enclosed.

A copy of the European search report is also enclosed, which satisfies the requirement for a concise statement of relevancy pursuant to M.P.E.P. §609 (1995).

Applicants submit that the present invention is patentable over these references.



Date: 4/12/2002

Respectfully submitted,

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Form PTO-1449  
(Rev. 2-88)U.S. DEPARTMENT OF COMMERCE  
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## U.S. PATENT DOCUMENTS

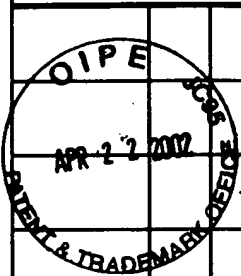
## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

1	Badger CC, Bernstein ID. "Prospects for monoclonal antibody therapy of leukemia and lymphoma". Cancer Vol. 58., (1986) pp.584-9.
2	Begg AC, Mooren E; "Rapid fluorescence-based assay for radiosensitivity and chemosensitivity testing in mammalian cells in vitro". Cancer Research., Vol. 49, (1986) pp.565-9.
3	Boven E, Pinedo HM.; "Monoclonal antibodies in cancer treatment: where do we stand after 10 years?" Radiotherapy & Oncology. Vol. 5, (1986) pp.109-17.
4	Costa A, Silvestrini R, Del Bino G, Motta R.; "Implications of disaggregation procedures on biological representation of human solid tumours". Cell Tissue Kinet, Vol 20, (1987) pp.171-80.
5	Dairkee SH, Paulo EC, Traquina P, Moore DH, Ljung BM, Smith HS; "Partial enzymatic degradation of stroma allows enrichment and expansion of primary breast tumor cells". Cancer Res. Vol. 57. (1997) pp.1590-6.
6	Dillman RO, "Monoclonal antibodies for treating cancer". Annals of Internal Medicine. Vol. 111 (1989) pp.592-603.
7	Dillman RO.; "Antibodies as cytotoxic therapy"; Journal of Clinical Oncology, Vol. 12, (1994) pp.1497-515.
8	Disis ML, Cheever MA; "Her-2/neu protein: a target for antigen-specific immunotherapy of human cancer". Advances in Cancer Research, Vol. 71 (1997) pp.343-71.
9	Dvorak HF, Nagy JA, Dvorak AM.; "Structure of solid tumors and their vasculature: Implications for therapy with monoclonal antibodies". Cancer Cells; Vo. 3. (1991) pp.77-85.
10	Engelhorn SA, Spang-Thomsen M, Brunner N, Nohr I, Vindelov. LL.; "Disaggregation of human solid tumours by combined mechanical and enzymatic methods". Br J. Cancer. Vol 51. (1985) pp.93-8.
11	Epsstein AL, Marder RJ, Winter JN, et al.; "Two new monoclonal antibodies; Lym-1 and Lyn02, reactive with human B-lymphocytes and derived tumors, with immunodiagnostic and immunotherapeutic potential". Cancer Research. Vol. 47 (1987) pp830-40.
12	Foon KA.; "Biological therapy of cancer". Breast Cancer Research & Treatment. Vol. 7 (1986) pp.5-14.
13	Franzen B, Linder S, Okuzawa K, Kato H, Auer G. "Nonenzymatic extraction of cells from clinical tumor material for analysis of gene expression by two-dimensional polyacrylamide gel electrophoresis". Electrophoresis. Vol. 14 (1993) pp.1045-53.
14	Harris DT, Mastrangelo MJ.; "Serotherapy of cancer". Seminars in Oncology. Vol. 16 (1989) pp.180-98.
15	Holz E, Raab R, Rietlunuller G.; "Antobody-based immunotherapeutic strategies in colorectal cancer". Recent Results in Cancer Research. Vol. 142 (1996) pp.381-400.
16	Kravtsov VD, Fabian 1.; "Automated monitoring of apoptosis in suspension cell cultures". Laboratory Investigation. Vol. 74 (1996) pp.557-70.

EXAMINER

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<b>INFORMATION DISCLOSURE STATEMENT</b> <b>BY APPLICANT</b>							
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<b>U.S. PATENT DOCUMENTS</b>							
<b>EXAMINER'S INITIALS</b>	<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>FILING DATE IF APPROPRIATE</b>	
	5,750,102	05/98	Eisenbach et al.				
	4,861,581	08/89	Epstein et al				
	5,171,665	12/92	Hellstrom et al.				
	5,484,596	01/96	Hanna, Jr. et al.				
	5,693,363	12/97	Codington et al.				
	5,783,186	07/98	Arakawa et al.				
	5,849,876	12/98	Linsley et al.				
	5,869,045	02/99	Hellstrom et al.				
	5,869,268	03/99	Kudo et al				
	5,780,033	07/98	Torchillinn et. al.				
	4,172,124	10/79	Koprowski et al.				
	<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>COUNTRY</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>TRANSLATION</b>	
						<b>YES</b>	<b>NO</b>
<b>OTHER DOCUMENTS</b> <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>							
	17	Herlyn et al., Int. J. Cancer 27, (1981); pp.769-774					
	18	Knuth et al., Proc. Am. Assoc. Cancer Res. 25; (1984) p.1005					
	19	Cruse et al., Illustrated Dictionary of Immunology, CRC Press, (1995) p.280					
	20	Horoszewicz et al., Anticancer Research 7, (1987) pp. 927-36.					
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	4,939,240	07/90	Chu et al.			
	5,869,045	02/99	Hellstrom et al.			
DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO
0 222 360	05/87	Europe			X	
WO 94/18345	08/94	PCT			X	

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